

1 STEVEN KALAR
2 Federal Public Defender
2 JOYCE LEAVITT
3 Assistant Federal Public Defender
3 555 12th Street, Suite 650
4 Oakland, CA 94607-3627
4 (510) 637-3500

5 Counsel for Defendant JESUS HERNANDEZ

6

7 IN THE UNITED STATES DISTRICT COURT

8

FOR THE NORTHERN DISTRICT OF CALIFORNIA

9

10 UNITED STATES OF AMERICA,)
11 v. Plaintiff,) No. CR 08-00556 SBA (KAW)
12) 2ND REVISED STIPULATION AND
13) ORDER CONTINUING CHANGE OF
14) PLEA; EXCLUSION OF TIME
15)
15 JESUS HERNANDEZ,)
16)
16 Defendant.)

17 STIPULATION

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of
19 plea date for Jesus Hernandez, currently scheduled for December 26, 2012, at 10:00 a.m., may be
20 continued to January 10, 2013, at 9:30 a.m. for change of plea before the magistrate. The reason for
21 the request is that defense counsel is out of the country and unavailable on December 26, 2012 and
22 January 10, 2013 is the first date available for all the parties.

23 IT IS FURTHER STIPULATED THAT the time from December 26, 2012, to January 10,
24 2013, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §
25 3161(h)(7)(A) and (B)(iv) for continuity of counsel because defense counsel will be unavailable on
26

1 December 26, 2012, and January 11, 2013 is the first date available for all the parties.

2 DATED: 12/21/12

3 /s/
JOYCE LEAVITT
Assistant Federal Public Defender

4 DATED: 12/21/12

5 /s/
KEVIN J. LIN
6 Special Assistant United States Attorney

7 I hereby attest that I have permission of the parties to enter a conformed signature (/s/) for all
signatures within this e-filed document.

8
9 **ORDER**

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea date for
11 Jesus Hernandez, currently scheduled for December 26, 2012, at 10:00 a. m., may be continued to
12 January 10, 2013, at 9:30 a.m. for change of plea before the magistrate.

13 IT IS FURTHER ORDERED THAT the time from December 26, 2012, to January 10, 2013,
14 shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §
15 3161(h)(7)(A) and (B)(iv) for continuity of counsel because defense counsel is out of the country
16 and unavailable on December 26, 2012 and January 10, 2013 is the first date available for all the
17 parties.

18 SO ORDERED.

19 DATED:12/21/12

20 
21 HON. SAUNDRA BROWN ARMSTRONG
22 Senior United States District Judge